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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 MARLOW TODD EGGUM,

10 Petitioner,

11 v.

12 DONALD HOLBROOK,¹

13 Respondent.

Case No. C14-1328-RAJ-MAT

ORDER DIRECTING RESPONDENT
TO FILE BRIEF ADDRESSING
PETITIONER'S SUPPLEMENTAL
AUTHORITY

14 On December 31, 2019, petitioner filed a notice of supplemental authority directing the
15 Court's attention to a recent published decision by the Washington Court of Appeals, *State v.*
16 *Dawley*, which addresses the constitutionality of the statute at issue in this case. (Dkt. 145.) On
17 or before **January 31, 2020**, respondent shall file a supplemental brief addressing *Dawley's* impact
18 on the instant case and responding to the arguments petitioner raises in his notice. Petitioner shall
19 not file a reply unless directed by the Court.
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22 ¹ Petitioner has been transferred to the Washington State Penitentiary ("WSP") in Walla Walla, Washington.
23 (See Dkt. 144 at 1 n.1.) Accordingly, the Court directs the Clerk to SUBSTITUTE Donald Holbrook, the WSP
Superintendent, as the respondent in this action.

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PETITIONER'S SUPPLEMENTAL
AUTHORITY - 1

1 The Clerk is directed to RE-NOTE respondent's answer (Dkt. 133) and petitioner's motion
2 to expand the record (Dkt. 126) for January 31, 2020, and to send copies of this order to the parties
3 and the Honorable Richard A. Jones.

4 Dated this 16th day of January, 2020.

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7 Mary Alice Theiler
8 United States Magistrate Judge
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